

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

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IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	FINAL DECISION AND ORDER
	:	
SUSHIL A. SHETH, M.D.,	:	
RESPONDENT.	:	ORDER 0001157

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Division of Enforcement Case No. 09 MED 294

The parties to this action for the purposes of Wis. Stat. § 227.53 are:

Sushil A. Sheth, M.D.  
8691 Crown Court  
Burr Ridge, IL 60527

Wisconsin Medical Examining Board  
P.O. Box 8935  
Madison, WI 53708-8935

Wisconsin Department of Regulation and Licensing  
Division of Enforcement  
P.O. Box 8935  
Madison, WI 53708-8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Sushil A. Sheth, M.D. (DOB November 11, 1959) is duly licensed to practice medicine and surgery in the state of Wisconsin pursuant to license number 40876, which was first granted on March 26, 1999.

2. Respondent was practicing as a cardiologist in Illinois and his address on record with the Wisconsin Medical Examining Board is 8691 Crown Court, Burr Ridge, Illinois 60527.

Count I

4. On August 19, 2009, Respondent pled guilty and was convicted of health care fraud in violation of 18 USC 1347, in case number 09CR069, in the United States District Court,

Northern District of Illinois, Eastern Division. Respondent also agree to the entry of a forfeiture judgment in the amount of \$13,000,000.

5. The conviction and forfeiture was based on Respondent's conduct in Northern Illinois from 2002 to 2007 in defrauding 30 health care benefit programs, including the Medicare program. Respondent obtained information about hospital stays by people who were not his patients and then submitted claims for high level cardiac services on multiple days none of which had been provided to those people. Between January 2002 and June 2007, Respondent received approximately \$8,300,000 from the Medicare program and approximately \$5,100,000 from other health care benefit programs in reimbursement for services which were never rendered.

6. On August 11, 2010, Respondent was sentenced to five years in federal prison on the charge and ordered to pay \$13,000,000 in restitution.

#### Count II

7. On March 26, 2010 Respondent's license as a physician in the State of Illinois was suspended based upon his August 19, 2009 conviction. It remains suspended.

#### CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board has jurisdiction to act in this matter, pursuant to Wis. Stat. § 448.02(3), and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).

2. Respondent, by having been convicted of a crime that relates to practice under his license has engaged in unprofessional conduct as defined by Wis. Admin. Code § MED 10.02(2)(r) and is subject to discipline pursuant to Wis. Stat. § 448.02(3).

3. Respondent, by having had his Illinois physician license suspended has engaged in unprofessional conduct as defined by Wis. Admin. Code § MED 10.02(2)(q) and is subject to discipline pursuant to Wis. Stat. § 448.02(3).

#### ORDER

1. The SURRENDER by Sushil A. Sheth, M.D. of his license to practice medicine and surgery in the State of Wisconsin is hereby ACCEPTED.

2. If Respondent ever makes application to the Board for this, or any other credential:

a. It shall be in the sole discretion of the Board whether to grant any credential to Respondent and whether to impose limitations on any credential the Board may decide to grant.

b. Respondent shall, pay costs of this proceeding to the Wisconsin Department of Regulation and Licensing in the amount of \$350.00.

3. Applications, information and payment shall be made to:

Department Monitor  
Division of Enforcement  
Department of Regulation and Licensing  
P. O. Box 8935  
Madison, WI 53708-8935  
Tel. (608) 267-3817  
Fax (608) 266-2264

4. This Order is effective on the date of its signing.

MEDICAL EXAMINING BOARD

By: Sandra d Osborn MD  
A Member of the Board

October 19, 2011  
Date

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